

CHAPTER NO. 516
SENATE BILL NO. 2526

By Ramsey

Substituted for: House Bill No. 2239

By Godsey, Mumpower, Caldwell, Bowers

AN ACT To amend Tennessee Code Annotated, Section 68-140-516 and Section 68-140-506, relative to emergency services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-140-516, is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-140-516.

(a) The provisions of this part apply to each person providing emergency medical services within the state. Counties electing prior exclusion under § 68-39-111 [repealed] shall be required to comply with this part no later than July 1, 1985. The board shall use all reasonable and lawful means to ensure that necessary emergency medical services are provided to all patients in the state, as required for the public health and safety.

(b) This part does not apply to the following:

(1) The occasional use of a privately or publicly owned vehicle not ordinarily used in the business of transporting persons who are sick, injured, wounded or otherwise incapacitated or helpless, and/or operating under the provisions of the Good Samaritan Law in the performance of a lifesaving act;

(2) A vehicle rendering services as an ambulance in case of a major scheduled public event, catastrophe or emergency when ambulances with permits based in the localities of the major scheduled public event, catastrophe or emergency are insufficient to render the services required;

(3) Vehicles owned or operated by rescue squads, as defined by the board by rule and regulation, chartered by the state as corporations not for profit or otherwise existing as nonprofit associations which vehicles are not regularly used to transport sick, injured or otherwise incapacitated or helpless persons, except as a part of rescue operations; or

(4) Any ambulance service licensed in another state that does not regularly transport in Tennessee when called in for transfer upon referral by any physician, health care facility, or ambulance service licensed in the State of Tennessee. A service licensed in another jurisdiction and called by a county or municipality no more than four (4) times in a calendar year for

major scheduled public events shall not be deemed to be engaged in regular transportation in Tennessee.

(c) For purposes of the Emergency Medical Services Act of 1983, a major scheduled public event shall be one for which the anticipated attendance is more than one hundred thousand (100,000) persons, or two-thirds (2/3) of the population of the county in which such public event is held, whichever is greater.

SECTION 2. Tennessee Code Annotated, Section 68-140-506(h), is amended by adding the following language to the end thereto:

Employees of a service rendering emergency medical services at a major scheduled public event in Tennessee at the request of a county or municipality, as provided in this part, shall be deemed licensed in Tennessee to the extent of their valid foreign license for the duration of the major scheduled public event and shall perform their services under the supervision of a physician licensed in Tennessee.

SECTION 3. Tennessee Code Annotated, Section 68-140-516, is amended by adding a new subsection thereto, as follows:

(d) Any emergency medical services agency licensed in another state that is requested to render emergency medical services at a major scheduled public event in Tennessee pursuant to this section and § 68-140-506 shall provide, upon request of the emergency medical services board, evidence that an emergency medical services agency licensed in Tennessee has granted permission for the emergency medical services agency licensed in another state to operate at the event under such Tennessee agency's license, and has accepted in writing responsibility for verifying the following relative to the emergency medical services agency licensed in another state:

(1) Such agency's current license;

(2) The current licensure status of all personnel of such agency;

(3) That all ambulances that may be used at such major scheduled public event are currently certified for use in the state in which such agency is licensed; and

(4) That a physician licensed in Tennessee has accepted in writing responsibility for acting as medical director for such agency and that such physician or such physician's designee, who is also a physician licensed in Tennessee, will participate as medical director for such agency at the major scheduled public event.

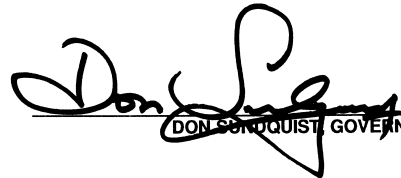
SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 11, 2002


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of March 2002


DON SUNDQUIST, GOVERNOR